

REMARKS

Status of the Claims

Claims 1-10 are pending in this application.

Claims 1-10 are rejected.

Claim 1 has been amended. Support for these amendments can be found throughout the specification, claims, and drawings, as originally filed.

Claim Objections

The Office Action objected to claim 1 indicating that “the diaphragm” and “direct current network” both lacked antecedent basis. Applicant has amended claim 1 to correct the objection, therefore, Applicant requests removal of the objection to claim 1.

Rejection of Claims 1 and 4-10 Under 35 U.S.C. § 103

Claims 1 and 4-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,545,418 to Kolpasky (hereafter Kolpasky) in view of U.S. Patent No. 6,158,869 to Barnes (hereafter Barnes).

The Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 1 and 4-10. With respect to claim 1 the Office Action indicated that Kolpasky teaches all of the elements of claim 1 except for “...at least one light source installed outside of the diaphragm.” Office Action page 2. The Office Action then indicated that “Barnes, drawn to light attachment to speakers, teaches at least one light source (18) installed outside of the diaphragm (Fig. 2). It would of been obvious to one of ordinary skill in the art, at

the time of the invention, to use the light configuration of Barnes in the speaker of Kolpasky, in order to achieve the best possible lighting of the intended surface (abstract).” Office Action pages 2-3. Applicant maintains that the combination of Kolpasky in view of Barnes does not teach or suggest at least one light source being installed in the chassis of a speaker **outside of a diaphragm** as stated in claim 1 of the present application.

Kolpasky teaches or suggests an illuminating speaker assembly. See Kolpasky Abstract. There is nothing in the specification or drawings of Kolpasky which teach or suggest at least one speaker with a chassis, nor does Kolpasky teach or suggest a diaphragm member which are all limitations found in current claim 1. The specification of Kolpasky teaches a housing (14) of an illuminating speaker assembly (12), however, there is no discussion nor are there any structures in the figures which show where the sound is generated from. Therefore, Kolpasky does not teach or suggest a speaker unit or a diaphragm for the speaker unit.

Barnes likewise also fails to teach or suggest deficiencies of Kolpasky as well as “at least one light source being installed in the chassis of a speaker **outside the diaphragm**...” as presented in claim 1 of the present application. Barnes teaches an apparatus that integrates pedal and foot well lighting in a vehicle with a speaker grille. See Barnes Abstract. However, there is nothing in the specification or drawings of Barnes that teaches or suggests the light source being installed in a chassis outside of a diaphragm. In contra distinction claim 1 of the present application states “...at least one light source being installed in the chassis of a speaker outside of a diaphragm...” This limitation is not taught or suggested by Kolpasky in view of Barnes. Therefore

Kolpasky in view of Barnes fails to teach or suggest all of the elements of present claim

1. Applicant respectfully requests removal of the rejection of claim 1.

With regard to the rejections of claims 4-10 Applicant maintains that Kolpasky in view of Barnes fail to teach or suggest "at least one light source being installed in the chassis of a speaker outside of a diaphragm" as required by these dependant claims. Therefore Applicant respectfully requests removal of the rejection of claims 4-10 and allowance thereof. Applicant will now discuss some of the limitations of the dependent claims, which Applicant asserts are patentable over Kolpasky in view of Barnes.

With regard to claim 5 Applicant further points out that both Kolpasky in view of Barnes fails to teach or suggest the light source being arranged parallel to the axis of the speaker. The specification and drawings of Kolpasky do not show where the speaker is located, therefore it is impossible to know whether or not the light source is arranged parallel to its axis. Fig. 3 of Barnes shows the light source being at a downward angle with respect to the lens 48. This suggests that the light source is not parallel to the axis of the speaker. Therefore, Kolpasky in view of Barnes fails to teach or suggest the limitation found in claim 5.

With regard to claim 6 Applicant again points out that Kolpasky does not show the location of the speaker, therefore Kolpasky does not teach or suggest the light source being arranged perpendicular to the axis of the speaker. With regard to Barnes, Applicant points out that Fig. 2 shows the light source being located at what appears to be an angle with respect to the axis, and therefore does not teach or suggest arranging the light source perpendicular to the axis of the speaker. Therefore the limitations of claim 6 are not taught or suggested by Kolpasky in view of Barnes.

Rejection of Claim 2 Under 35 U.S.C. § 103

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,545,418 to Kolpasky (hereafter Kolpasky) in view of U.S. Patent No. 6,158,869 to Barnes (hereafter Barnes) and further in view of U.S. Patent No. 5,964,519 to Chung-Ying (hereafter Chung-Ying). The Applicant respectfully traverses the rejection of claim 2.

Applicant points out that claim 2 of the present application, is dependent upon claim 1. Therefore claim 2 has the limitation of “at least one light source being installed in the chassis of a speaker outside of a diaphragm” which Applicant has already discussed as not being taught or suggested by Kolpasky in view of Barnes. Kolpasky does not show in the specification or drawings where the sound is generated from, much less a diaphragm to which a light source can be installed outside of. Similarly, Barnes also does not show a diaphragm; therefore, the deficiencies of these references must be resolved by Chung-Ying. Applicant notes that the Chung-Ying reference shows a reading lamp assembly that has a lamp on an arm extending from a base, a speaker in the base and a fragrance holder in the base. Applicant points out that there is nothing in the specification or drawings of Chung-Ying that teaches or suggests using the reading lamp assembly in a motor vehicle, nor do the specification or drawings teach or suggest “at least one source being installed in the chassis of a speaker outside of a diaphragm” as required by claim 2 of the present application. Therefore Applicant maintains that Kolpasky in view of Barnes and further in view of Chung-Ying do not render obvious claim 2 of the present application. Removal of the rejection is respectfully requested.

Rejection of Claim 3 Under 35 U.S.C. § 103

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,545,418 to Kolpasky (hereafter Kolpasky) in view of U.S. Patent No. 6,158,869 to Barnes (hereafter Barnes) and further in view of U.S. Patent No. 6,283,414 to Quinones (hereafter Quinones).

Applicant points out that claim 3 of the present application is dependent upon claim 1. Therefore, claim 3 contains the limitation of “a diaphragm and at least one light source being installed in a chassis of a speaker outside of a diaphragm...” Applicant has discussed above that Kolpasky in view of Barnes fail to teach or suggest this element. Neither of the specifications or drawings of Kolpasky or Barnes show the source of sound, much less the speaker, therefore one cannot tell whether or not the light source is mounted outside of a diaphragm. Quinones fails to remedy the defects of Kolpasky in view of Barnes. Quinones teaches or suggests an illuminated kite that includes a number of light sources extending along the surface. The illuminated kite of Quinones does not teach or suggest a speaker, much less a diaphragm to which a light is mounted outside of. Therefore the proposed combination of Kolpasky in view of Barnes and further in view of Quinones does not teach or suggest all of the limitations of claim 3. Applicant respectfully requests the removal of the rejection of claim 3 and allowance thereof.

CONCLUSION

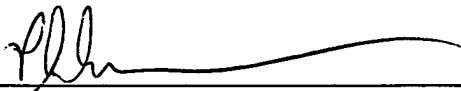
It is respectfully submitted that in view of the above amendments and remarks that claims 1-10 as presented, are patentably distinguishable because the cited patents,

whether taken alone or in combination, do not anticipate or render obvious, the claims of present invention. Therefore, Applicant submits that the pending claims are properly allowable, which allowance is respectfully requested.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Respectfully submitted,

WARN, HOFFMANN, MILLER & LALONE, P.C.
Attorneys for Applicant(s)

By: 
Philip R. Warn
Reg. No. 32775

P.O. Box 70098
Rochester Hills, MI 48307
(248) 364-4300

Dated: *Jan 22, 2006*

PRW:GLO:cah